

MINUTES OF THE CANANDAIGUA CITY COUNCIL MEETING
THURSDAY, JUNE 6, 2019 7:00 P.M.
City Council Chambers
Hurley Building – 205 Saltonstall St., Canandaigua NY
City Website: canandaiguanewyork.gov

Pledge of Allegiance:

Roll Call:

Members Present: Councilmember Ward 1 Nick Cutri
Councilmember Ward 2 Robert Palumbo
Councilmember Ward 3 Karen White
Councilmember Ward 4 Renée Sutton
Councilmember-at-Large Robert O'Brien
Councilmember-at-Large Stephen Uebbing
Mayor Ellen Polimeni

Absent: Councilmember-at-Large David Whitcomb (Arrived 7:02 PM)
Councilmember-at-Large James Terwilliger (Away on business)

Also Present: City Manager, John Goodwin
City Clerk-Treasurer Nancy C. Abdallah
Corporation Counsel Terence Robinson, Boylan Code
Assistant City Manager Rob Richardson

Review of Community Core Values: Council Member Ward 2 Palumbo read the Community Core Values: As residents, city staff and appointed & elected officials of the City of Canandaigua, our decisions and actions will be guided by these core values: Responsive, Participatory Governance; Caring & Respect; Integrity; Heritage; Stewardship; and Continuous Improvement.

Approval of Minutes: May 2, 2019:
Moved: Councilmember-at-Large Uebbing
Seconded: Councilmember Ward 3 White
Vote Result: Carried unanimously by voice vote (8-0)

Recognition of Guests:

- Joel Freedman, Canandaigua NY - spoke out against froi gras industry and its cruelty to ducks and geese. Although we have no production facility in the City, he encouraged City Council to consider passing a resolution encouraging the Governor to pass legislation to ban the industry in NYS.
- Denise Chaapel, BID Downtown Manager – spoke about all the summer events and activities that are planned for the BID District.

Committee Reports:

Planning/Development Committee: May 7 2019 (Appendix A)

May 7, 2019:

- DRI Discussion
- Tobacco Action Coalition of the Finger Lakes
- Temporary Tom's Mobil Usage
- Section 3 Participation Plan
- Update Comprehensive Plan

June 4, 2019:

- Accepting Donations Through the City Website
- Carry In-Carry Out Policy
- General Budget Discussion

Environmental/Parks Committee: May 14, 2019 (Appendix B)

- Carbon Pricing Legislation

Ordinance/PUD Committee: May 21, 2019 (Appendix C)

- Ordinance Reducing Single-Use Plastics
- Violation Notices Via Registered Mail
- Parking Restrictions on Gibson St.

Finance/Budget Committee: May 30, 2019 (Appendix D)

- Hurley Building Roof Phase 1
- Budget Amendment and Bonding Authorization
- Road Reconstruction Contract
- Hunt Engineering Change Order
- MS4 Report

Resolutions:

Resolution #2019-047

Moved: Council Member Ward 2 Palumbo

Seconded: Council Member Ward 1 Cutri

A RESOLUTION ADOPTING THE SECTION 3 PARTICIPATION PLAN OF THE HOUSING AND URBAN DEVELOPMENT ACT

WHEREAS, the New York State Office for Community Renewal (OCR) has implemented a guideline requiring all municipalities awarded Community Block Development Grant (CDBG) Funds to adopt a Section 3 Participation Plan; and

WHEREAS, Section 3 of the Housing and Urban Development Act, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs be directed to low and very low-income persons, particularly those who are recipients

of government assistance for housing and business concerns which provide economic opportunities to low and very low-income persons; and

WHEREAS, the Section 3 Participation Plan was reviewed and approved at the May 7th Planning/Development Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby adopts the Section 3 Participation Plan of the Housing and Urban Development Act.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-048

Moved: Council Member Ward 1 Cutri

Seconded: Councilmember-at-Large Uebbing

A RESOLUTION AWARDING A CONTRACT FOR PHASE 1 OF THE HURLEY BUILDING ROOF RENOVATION

WHEREAS, during the Hurley Building renovation project, the need to replace the roofing systems of the building was identified; and

WHEREAS, the Capital Plan includes a four phased roof replacement project with Phase 1 (\$150,000 budgeted) for 2019; and

WHEREAS, A bid was opened on May 24th, with three vendors responding to the request. Two of those, however, chose not to submit bids due to the asbestos abatement component; and

WHEREAS, the vendor responding with a bid, Elmer W. Davis, Inc. Roofing located at 1217 Clifford Ave. in Rochester, NY, came in with a bid of \$154,456; and

WHEREAS, this is the same vendor who did the roof replacement when the Central Shop was renovated last year, and Staff recommend awarding the contract to Elmer W. Davis, Inc. Roofing as they are confident in their ability to complete the work; and

WHEREAS, the bid, however, is slightly higher than what was budgeted and will require a Capital Budget amendment in the amount \$4,456; and

WHEREAS, the City Manager recommends forgoing the new public entrance to City Hall (\$100,000) to cover the Capital Budget amendment, as well as the previous Capital Budget Amendments approved by Council; and

WHEREAS, the recommendation was reviewed and approved at the May 30th Finance/Budget Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards a contract for Phase I of the Hurley Building Roof Replacement Project to Elmer W. Davis, Inc. Roofing, located at 1217 Clifford Ave. in Rochester, NY, in the amount of \$154,456; and

BE IT FURTHER RESOLVED, that City Council amends the Capital Budget by transferring \$4,456 from the City Hall Public Entrance Project to the Hurley Building Roof Replacement Project.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-049

Moved: Councilmember-at-Large O'Brien

Seconded: Councilmember Ward 4 Sutton

A RESOLUTION AUTHORIZING A BUDGET AMENDMENT FOR THE 2019 ROAD RECONSTRUCTION PROJECT

WHEREAS, as part of the City's Road Reconstruction Program, the City completely rebuilds streets every four years; and

WHEREAS, this year, the City plans to rebuild Bristol Street from Sucker Brook to South Pearl Street, Bristol Court and Sand Street; and

WHEREAS, the budget for this project includes bonding in the General (\$2,773,000), Water (\$650,000), and Sewer (\$650,00) Funds; and

WHEREAS, based on the design, the distribution amount between the funds needs to be adjusted to \$1,430,000 for General and \$715,000 for both Water and Sewer (50% General, 25% Water, 25% Sewer); and

WHEREAS, Staff recommends authorizing the Budget Amendment so the project can move forward, and this recommendation was reviewed and approved at the May 30th Budget/Finance Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby authorizes the City Manager to execute a Budget Amendment adjusting the bonding distribution from \$2,773,000 in General, \$650,000 from Water, and \$650,000 from Sewer to \$1,430,000 for General, \$715,000 for Water and \$715,000 for Sewer to finalize Bond Authorization.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-050

Moved: Councilmember-at-Large Uebbing

Seconded: Councilmember-at-Large Whitcomb

RESOLUTION 2019-050

DATED JUNE 6, 2019

BOND RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK (THE “CITY”), AUTHORIZING THE ISSUANCE OF \$2,860,000 SERIAL BONDS OF THE CITY TO FINANCE VARIOUS PUBLIC IMPROVEMENTS AND PURPOSES

WHEREAS, the City Council of the City of Canandaigua, Ontario County, New York (the “City”) proposes to authorize the issuance of \$2,860,000 in serial bonds of the City to finance various public improvements and purposes, as described herein, appropriate funds for such purposes and to make certain determinations in connection with such purposes; and

WHEREAS, the City Council now wishes to appropriate funds for such various public improvements and purposes and to authorize the issuance of the City’s bonds and bond anticipation notes to be issued to finance said appropriation.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CANANDAIGUA, ONTARIO COUNTY, NEW YORK HEREBY RESOLVES (by the affirmative vote of not less than two-thirds of all the members of such body), AS FOLLOWS:

SECTION 1. The City is hereby authorized to issue \$1,430,000 principal amount of serial bonds pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (the “Law”) to finance the reconstruction and resurfacing of Bristol Street west of the bridge crossing Sucker Brook to South Pearl Street, Bristol Court, and Sand Street and the resurfacing of the bridge over Sucker Brook, including sidewalks, curbs, gutters, drainage, landscaping, grading or improving right-of-way improvements in connection therewith and any other appurtenant or incidental costs and expenses. The estimated maximum cost of the aforementioned specific object or purpose, including all costs incidental thereto or in connection with the financing thereof, is \$1,474,250 and said amount is hereby appropriated therefor. The plan of financing thereof shall consist of (i) the expenditure of \$44,250 from the City’s capital reserve fund, (ii) the issuance of \$1,430,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is fifteen (15) years, pursuant to subdivision 20(c) of paragraph a. of Section 11.00 of the Law.

SECTION 2. The City is hereby authorized to issue \$715,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of the reconstruction and replacement of water distribution lines along Bristol Street west of the bridge crossing Sucker Brook to South Pearl Street, Bristol Court, and Sand Street, including the reconstruction and/or replacement of water mains, service laterals, fire hydrants and any equipment, furnishings, machinery, apparatus, appurtenances, ancillary, related or incidental improvements and expenses required in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$737,125, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$22,125 from the City’s capital reserve fund, (ii) the issuance of \$715,000 in serial bonds of the City authorized to be issued

pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision 1. of paragraph a. of Section 11.00 of the Law.

SECTION 3. The City is hereby authorized to issue \$715,000 principal amount of serial bonds pursuant to the Law to finance the estimated cost of the reconstruction and replacement of sewer lines (including sanitary and surface drainage) and catch basins along Bristol Street west of the bridge crossing Sucker Brook to South Pearl Street, Bristol Court, and Sand Street, including any equipment, furnishings, machinery, apparatus, appurtenances, and any ancillary, related or incidental improvements and expenses required in connection therewith. It is hereby determined that the maximum estimated cost of the aforementioned specific objects or purposes is \$737,125, said amount is hereby appropriated therefor and the plan for the financing thereof shall consist of (i) the expenditure of \$22,125 from the City's capital reserve fund, (ii) the issuance of \$715,000 in serial bonds of the City authorized to be issued pursuant to this resolution or bond anticipation notes issued in anticipation of such bonds, and (iii) the levy and collection of taxes on all the taxable real property in the City to pay the principal of said bonds and the interest thereon as the same shall become due and payable. It is hereby determined that the period of probable usefulness for the aforementioned specific objects or purposes is forty (40) years, pursuant to subdivision 4. of paragraph a. of Section 11.00 of the Law.

SECTION 4. The temporary use of available funds of the City, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Law, for the capital purposes described in this resolution. This resolution shall constitute a declaration of "official intent" to reimburse the expenditures as part of the projects described herein with the proceeds of the bonds and bond anticipation notes authorized herein, as required by United States Treasury Regulation Section 1.150-2.

SECTION 5. Each of the serial bonds authorized by this resolution and any bond anticipation notes issued in anticipation of said bonds shall contain the recital of validity prescribed by Section 52.00 of the Law and said serial bonds and any bond anticipation notes issued in anticipation of said bonds shall be general obligations of the City, payable as to both principal and interest by a general tax upon all the real property within the City without legal or constitutional limitation as to rate or amount. The faith and credit of the City are hereby irrevocably pledged to the punctual payment of the principal and interest on said serial bonds and bond anticipation notes and provisions shall be made annually in the budget of the City by appropriation for (a) the amortization and redemption of the bonds and bond anticipation notes to mature in such year and (b) the payment of interest to be due and payable in such year.

SECTION 6. Subject to the provisions of this resolution and of the Law, pursuant to the provisions of Section 30.00 relative to the authorization of the issuance of bond anticipation notes or the renewals of said obligations, and of Section 21.00, Section 50.00, Section 54.90, Sections 56.00 through 60.00, Section 62.10 and Section 63.00 of the Law, the powers and duties of the City Council relative to authorizing bond anticipation notes and prescribing the terms, form and contents as to the sale and issuance of bonds herein authorized, including without limitation the determination of whether to issue bonds having substantially level or declining debt service and all matters related thereto, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, are hereby delegated to the City Treasurer, the chief fiscal officer of the City. Further, in connection with bonds and bond anticipation notes issued under the authority of Sections 2 and 3 hereof, the power to contract with and issue bonds and bond anticipation notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Law and to approve the terms, form and content of such bonds and bond anticipation notes, consistent with

the provisions of the Law, is hereby delegated to the City Treasurer. Further, pursuant to subdivision b. of Section 11.00 of the Law, in the event that bonds to be issued for one or more of the objects or purposes authorized by this resolution are combined for sale, pursuant to subdivision c. of Section 57.00 of the Law, with bonds to be issued for one or more objects or purposes authorized by this resolution or other resolutions of the City Council, then the power of the City Council to determine the “weighted average period of probable usefulness” (within the meaning of subdivision a. of Section 11.00 of the Law) for such combined objects or purposes is hereby delegated to the City Treasurer, as the chief fiscal officer of the City.

SECTION 7. The City Treasurer is hereby further authorized, at his sole discretion, to execute a project financing and loan agreement, and any other agreements with the New York State Department of Environmental Conservation and/or the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the specific objects or purposes described in Sections 2 and 3 hereof, or a portion thereof, by a serial bond, and, or a bond anticipation note issue in the event of the sale of same to the New York State Environmental Facilities Corporation.

SECTION 8. The City Treasurer is hereby further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution and any notes issued in anticipation thereof, as excludable from gross income for Federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”) and to designate the bonds authorized by this resolution and any notes issued in anticipation thereof, if applicable, as “qualified tax-exempt bonds” in accordance with Section 265(b)(3)(B)(i) of the Code.

SECTION 9. The City Treasurer is further authorized to enter into a continuing disclosure undertaking with or for the benefit of the initial purchaser of any of the bonds or notes authorized by this resolution in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 10. The City Council hereby determines that each of the projects authorized herein both individually and collectively, the financing thereof as authorized by this resolution, and the adoption of this resolution, collectively constitutes a “Type II” action within the meaning of the State Environmental Quality Review Act and the regulations of the New York State Department of Environmental Conservation thereunder (collectively, “SEQRA”) and that no further action under SEQRA with respect to any of said projects need be taken by the City Council as a condition precedent to the adoption of this resolution.

SECTION 11. The intent of this resolution is to give the City Treasurer sufficient authority to execute those applications, agreements, instruments, or to do any similar acts necessary to effect the issuance of the aforesaid serial bonds or bond anticipation notes without resorting to further action of this City Council.

SECTION 12. The validity of the bonds authorized by this resolution and of any bond anticipation notes issued in anticipation of said bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which the City is not authorized to expend money; or
- (b) the provisions of law which should be complied with at the date of the publication of such resolution are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication; or

- (c) such obligations are authorized in violation of the provisions of the constitution.

SECTION 13. This resolution shall take effect immediately and the City Clerk is hereby authorized and directed to publish the foregoing resolution in full, or a summary thereof, together with a notice attached in substantially the form as prescribed in Section 81.00 of the Law, in the official newspaper(s) of the City (a) for such publication, and (b) for the publication of the notice of sale in connection with any bonds issued pursuant to this resolution.

The following vote was taken and recorded in the public or open session of said meeting:

AYES:8 NAYS:8

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-051

Moved: Councilmember Ward 3 White

Seconded: Council Member Ward 2 Palumbo

A RESOLUTION AWARDING A CONTRACT FOR 2019 ROAD RECONSTRUCTION

WHEREAS, at its June 6th meeting, City Council passed Resolution #2019-050 authorizing the bond for the 2019 Road Reconstruction Project; and

WHEREAS, a bid for the 2019 Road Reconstruction Project was opened on Monday, May 13th with 3 bids being submitted; and

WHEREAS, the lowest responsible bid was submitted by Ramsey Constructors, located at 5711 Gateway Park in Lakeville, NY for a total amount of \$2,417,175; and

WHEREAS, because the design engineer for this project, Hunt Engineers, as well as DPW has worked with Ramsey Constructors in the past and are confident in their ability to complete the project, Staff recommends awarding the contract to Ramsey Constructors; and

WHEREAS, the bond authorization includes a 10% construction contingency, and the City Manager is requested authorization to approve change orders, if necessary, within the construction contingency; and

WHEREAS, these recommendations were reviewed and approved at the May 30th Finance/Budget Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby awards the contact for the 2019 Road Reconstruction Project to Ramsey Constructors, located at 5711 Gateway Park in Lakeville, NY for a total amount of \$2,417,175; and

BE IT FURTHER RESOLVED, that City Council authorizes the City Manager to approve change orders within the construction contingency if necessary.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Resolution #2019-052

Moved: Councilmember Ward 4 Sutton

Seconded: Councilmember Ward 3 White

**A RESOLUTION AWARDING CONSTRUCTION ADMINISTRATION AUTHORIZING A
CHANGE ORDER FOR ROAD RECONSTRUCTION DESIGN**

WHEREAS, via Resolution #2018-069, Council authorized a contract with Hunt Engineers to design the Road Reconstruction Project;

WHEREAS, Hunt's proposal included construction administration cost totaling \$163,650 which need to be awarded; and

WHEREAS, the original thought process for the design of Bristol St. was that the water main would stay on the southside of Bristol St., however due to conflicts with existing water, storm, sanitary, gas and proposed storm water management facility, the water main could not be located on the south side of Bristol St; and

WHEREAS, the design calls for the water main to be placed east of Sucker Brook- further than originally thought and across the north side of Bristol St. to get under Sucker Brook; and

WHEREAS, as a result, Hunt Engineers will need to survey 80, 81, and 90 Bristol St., as well as prepare Temporary Easements for these properties with the total cost of this unplanned work totaling \$2,700; and

WHEREAS, Staff recommends authorizing this change order, as well as authorizing the City Manager to execute future change orders for the project if necessary; and

WHEREAS, these recommendations were reviewed and approved at the May 30th Finance/Budget Committee meeting;

NOW, THEREFORE, BE IT RESOLVED, that City Council hereby authorizes a change order for \$2,700 for the unplanned survey work at 80, 81, and 90 Bristol St. and preparation of Temporary Easements for these properties; and

BE IT FURTHER RESOLVED, that City Council authorizes the City Manager to execute any change orders for the project if necessary.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Ordinances: None

Local Laws: None

Manager's Report: City Manager John D. Goodwin reported the following:

- Repairs on South Main Street are completed
- Tom's Mobil will be completely clean by next week after which the RFP will be released for prospective buyers for the property.

Appointments:

- The Mayor appointed Chris Glattly to the Comprehensive Plan Committee.
- Councilmember-at-Large Uebbing moved to appoint Councilmember-at-Large Terwilliger as the City Council representative on the Local Devolvement Corporation "LDC". Council Member Ward 1 Cutri seconded the motion.

The motion CARRIED UNANIMOUSLY on the following vote:

AYES: Council Member Ward 1 Cutri, Council Member Ward 2 Palumbo, Councilmember Ward 3 White, Councilmember Ward 4 Sutton, Councilmember-at-Large O'Brien, Councilmember-at-Large Uebbing, Councilmember-at-Large Whitcomb and Mayor Polimeni.

NOES: None

Miscellaneous:

- Round table comments by Councilmembers

Executive Session:

Councilmember Ward 4 Sutton moved to close the regular meeting to go into Executive Session for the work history of an individual. at 8:30 PM. Council Member Ward 2 Palumbo seconded the motion.

Vote Result: Carried unanimously by voice vote (8-0)

Regular Session:

Councilmember Ward 4 Sutton moved to close the executive session and return to the regular meeting at 8:50 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (8-0).

Adjournment

Councilmember Ward 4 Sutton moved to adjourn the regular session at 8:50 PM. Councilmember Ward 3 White seconded the motion.

Vote Result: Carried unanimously by voice vote (8-0).

Nancy C. Abdallah, Clerk Treasurer
City of Canandaigua

APPENDIX A
PLANNING/DEVELOPMENT COMMITTEE
Tuesday, May 7, 2019
7:00 p.m.
Council Chambers- The Hurley Building

Committee: Robert O'Brien, Chair, Bob Palumbo, Steve Uebbing, Renée Sutton

Other Councilmembers: Mayor Polimeni

Staff: John D. Goodwin, Rob Richardson, Terence Robinson

1. DRI Discussion – Public Engagement Update

For the last three years, the City of Canandaigua has submitted applications for the Downtown Revitalization initiative (DRI) in an effort to secure \$10,000,000 from New York State to fund various projects Downtown. Despite being a finalist each of those years, the City's application was not selected and the funding was awarded to other municipalities. The City hired MRB Group to assist in completing the 2019 application and worked to increase our public engagement efforts to bolster the application. Matt Horn will provide a brief report on the results of our public engagement and how the result will drive our application.

Robert immediately turned the floor over to Matt Horn, who shared the results of the activity from the last time he was here as well as discussed other public engagement events they held over the first few weeks in April. Others included the Farmer's Market, the Wine Walk, and tabling at the Y. In total, 70% of participants said they love Canandaigua, with smaller percentages going to small businesses, Downtown, and the Historical Feel. In 10 years, participants thought a successful Canandaigua would include unique retail and dining, improved housing, and a thriving local economy. They thought investment should be concentrated on the BID district with a small extension with 85% of the group agreeing with the area suggested in the last two applications. About 85% of participants feel we should concentrate investment in grants and loans for small businesses, 80% said parks and open spaces like a pedestrian plaza, 55% said arts for arts and culture, and 50% said housing. Matt believes we will have the most robust public engagement section of any application in the region. They are now in the process of developing a draft and bouncing things off of John and Rob for editing and feedback. The application is due May 31st.

Bob asked who else is going to submit and Matt said Seneca Falls, Waterloo, Newark & Dansville. The Mayor asked if they contracted another consultant, and Matt said he knows Waterloo is.

2. Tobacco Action Coalition of the Finger Lakes

At the April 16th Ordinance Committee Meeting, members of Council discussed concerns over both the number of vaping and tobacco establishments in the City as well as concerns these products have become readily available and marketed towards youth in the community. Council determined more information was needed before taking any potential legislative action, so Mayor Ellen Polimeni invited Bridgid Heenan from the Tobacco Action Coalition of the Finger Lakes to discuss some options the City could pursue and policies adopted by other municipalities in the State. City staff has been preparing options for City Council's consideration per the Ordinance Committee's request and will present a recommended policy at the May 21st Ordinance Committee meeting.

Bridgid Heenan gave a presentation on using point of sale policies to limit the access of smoking/vaping materials to children. Point of Sale refers to the retail locations where these items are sold- on average there is about 3 times more marketing money is spent near schools. The more youth are exposed to this marketing

the more likely they are to start smoking, and flavors are appealing to youth. Some communities have taken it on themselves to control these issues. One such policy used is limiting the number stores (tobacco shops and vape shops) which won't eliminate the concern but cap the access. Another approach is restricting where tobacco is sold i.e. moving tobacco retailers at least 1000 feet away from schools. A third approach is restricting the type of retailers such as tobacco free pharmacies. Another is the restriction of price promotions to make tobacco products easier to purchase. You can also restrict the types of flavors that can be sold or make it 21 to purchase. Binghamton has used zoning, Newburgh used licensing which includes funds for monitoring and enforcement. Dolgeville passed a policy preventing retailers within 1000 feet of schools, limited price discounts, eliminated price promotions and banned vape shops.

Steve asked to know how the addictive qualities differ from e-cigs to tobacco. She said it's hard to tell because they aren't well regulated, but a juul pod contains the equivalent to a pack of cigarettes. Bob asked what she thinks the most effective approaches are, and Brigid said limit the spread/influx of retailers is important. Steve asked if we can levy a tax, and Terence said he will look into it- John said he doesn't think we have the authority. Renée likes the idea of putting some kind licensing in place to limit tobacco access to children. She asked which ones are charging, and Brigid said Newburgh charges 50 per license administration and 10 dollars a year but she said she could look into it. The Mayor would like us to limit the number of shops similar to how they addressed gas stations. Robert thinks it's already prevalent- aside from vape shops convenience stores and other retailers also sell these products. He thinks the cost for these licenses will be prohibitive. Terence said he's seen licensing as high as \$200 and could go higher, other ways include limiting the number of licenses. He said we can also try and beef up zoning regulations- Council has a lot of options to play with. The Mayor wants to see a cap with existing businesses grandfathered in, but licensing would also apply to them. Robert pointed out these laws will only push people to purchase these items in places outside the City. He feels we need to tackle this on the County level. Steve is very in favor of legislating this, because addictive behaviors that begin in teenage years carry into adulthood, and often claim lives. We should do anything we can to limit addictive behaviors. Robert thinks we should do a lottery and any licensing fees we put into place should be high. Renée thinks if we do this, we need to differentiate between businesses where these items are their primary business as opposed to businesses where these are ancillary products. Brigid said other municipalities are taking that approach. Robert added we should open this to include any delivery mechanism, and Brigid cautioned we should limit it to FDA approved delivery methods. Staff were directed to come back with some options for actions the City can take.

3. Temporary Tom's Mobil Usage

The City of Canandaigua, in conjunction with the State Comptroller's Office, and the NYSDEC is in the process of turning Tom's Mobil from an abandoned blight into a developable parcel. Once this is completed the City intends to sell the parcel, however it is likely that there will be some delay before any development can begin at 267 South Main St. Councilmember Robert O'Brien has suggested and asked for discussion on several potential "temporary uses" for the parcel with the intent of generating revenue until the property is transferred.

John pointed out the lot is less than half an acre, and John is still awaiting testing results to see if the site was fully remediated. We are hopeful the site will be cleaned by the end of May. We also want to make sure that the site is safe and to have dirt "you can eat off of." We can't do an RFP until we know the DEC test results so bidders can prepare their proposals. We also intend to limit the how, what, and when something will go there, as well as requirements for funding and conceptual design. Staff has floated the idea of using it as a staging area for the Street Reconstruction Project which will save the City money. The Mayor asked how long the project will take, and John said depending on weather it could take up to a year. They are hoping to have a base coat down for the winter, but they also won't need the staging area for that entire period. He thinks by the fall if everything goes to plan it should be cleared by the fall. Bob asked what we would save by using it as a staging lot, and John said it depends on who the contractor is, how

close they are, and if they can find their own staging area off public property. Robert asked if he as spoken to anyone at the BID, and John said it's to early for that. Robert thought his ideas would show this is a retail area. We could have events, Food Truck Rodeo, a Demonstration Space for Clean Energy or temporary retail. If we can save some money, maybe we should use it as a staging area. Robert requested we speak to the BID and Merchants Association, and John acknowledged it's a prime spot so the usage isn't ideal. No formal action was taken on this item.

4. Section 3 Participation Plan

Section 3 of the Housing and Urban Development Act, as amended, requires that economic opportunities generated by certain HUD financial assistance for housing and community development programs be directed to low and very low-income persons, particularly those who are recipients of government assistance for housing and business concerns which provide economic opportunities to low and very low-income persons. Although the plan and requirements were followed, NYSOCR is requiring any municipalities to have a Section 3 Plan adopted. Attached is the proposed Section 3 Plan.

John explained this is a new requirement for any CDBG grants over \$200,000 must require the Section 3 Plan. We have been complying with these already, but to this point its been the subrecipients who handle these requirements. The applications include money for grant administration, so the subrecipients will continue to do so.

Bob moved to adopt the Section 3 requirements; Renée seconded.

4 in favor, 0 opposed. Motion carries to Full City Council.

Thomas Lyon provided a brief update on the Comprehensive Planning Process. As of now, there haven't been any monumental changes. He added occasionally members of the public, but overall public participation has been low. Once they have a draft available and release it for review, they hope the public hearings will be well attended. They are almost halfway through the general topic areas, and are hoping to have a draft document available by late July- early August. He hopes to have a draft plan ready for public review in early fall. Their deadline is January 2020.

Steve motioned to adjourn; Renée seconded.

Meeting adjourned at 8:43 p.m.

APPENDIX A
PLANNING/DEVELOPMENT COMMITTEE
Tuesday, June 4, 2019
7:00 p.m.
Council Chambers- The Hurley Building

Committee: Robert O'Brien, Chair, Bob Palumbo, Steve Uebbing, Renée Sutton

Other Councilmembers: Mayor Polimeni, Nick Cutri, Karen White

Staff: John D. Goodwin, Rob Richardson, Terence Robinson

1. Accepting Donations Through the City Website

Councilmember Robert O'Brien has suggested that a page be added to the City's website to inform interested residents and the general public on how to make donations to the City. City Staff is concerned that this is a form a solicitation and potentially illegal. This item has been added to the agenda for further discussion.

Terence said the statement in the memo he sent out was pretty clear- this is not a good idea.

2. Carry In- Carry Out Policy

As part of the City's efforts to be a responsive and participatory government, the City conducted the National Citizen Survey in 2018. One of the survey questions addressed the City's "Carry In, Carry Out" policy, which states that park users must carry out any litter or trash generated by their use of the park. The results overwhelmingly showed that 87% of City residents support this policy. Recently a resident raised concerns regarding animal waste and, in particular, exempting it from this policy and providing receptacles in parks for animal waste disposal. Councilmember Robert O'Brien requested this item be added to the agenda for further discussion.

Robert added the Mayor was also contacted about this. He is looking for consensus on whether we should have receptacles in all of our parks or none at all. The Mayor and Robert think we should just a receptacle at Sonnenberg. John does not know why they are there, and the Mayor said many years ago Council decided if we are providing bags, we need to provide receptacles. Karen asked if the receptacles in place get abused, and several folks said yes. Renée agrees with the carry in- carry out policy, and would like to see the other ones removed. John suggested mini cans for the animal waste, and there wasn't a huge amount of support. Robert wants to change the carry in, carry out policy to exempt animal waste. Steve agrees with Robert and Ellen. John's biggest concern is a department that is overburdened- small things add up and we just added an entirely new park top their workload without adding staff. Renée thinks the status quo has served us well, and we have already spent too much time on this topic.

3. General Budget Discussion

At the May 30th Finance/Budget Committee, Councilmember Steve Uebbing and Jim Terwilliger suggested that City Council should be discussing general budget priorities to help staff in their development of the 2020 Budget later this year. This item was added to the agenda to begin that discussion.

Steve started by stating that he believes staff does a great job putting the budget together, but then we react. This would be a much more proactive approach that could include public input. This allows Staff to see what Council perceives as priorities and gives the budget process a transparent sense of direction from the beginning.

Renée asked if website consulting was budgeted for, and John said no. Renée believes this should be a priority. The Mayor would like to see this extended to overall PR- she pointed to how the school district has done this and it has helped community perception. The Mayor added the City Manager and Assistant City Manager have full plates. John pointed out that we are trying but there could definitely be improvement. Karen would like to see permanent, year-round bathrooms at Kershaw and Commons. Bob added that Rotary is working on this project and he is working on a proposal.

Steve added he also thinks we should discuss fiscal concerns- not just ideas. He pointed to the \$9 million-dollar loss when Thompson was absorbed by U of R. We need this discussion to be in open session for public input. Renée would like to see a City Engineer would be a great resource and should be a priority. Karen agrees with Steve- we should get the public involved and it might help public perception. On the topic of PR, the Mayor would also like to see this person be able to get residents to meeting and maintain a resident database. Steve pointed out this could be a great asset in an emergency situation. John pointed to the reverse 911 system, and Steve said this is great but has never used it and doesn't know how to. Robert went back to the website and how focus on making it more versatile.

There was a general consensus we should have open discussions at City Council Meetings during the miscellaneous portion of the meeting. John is concerned this will create unnecessary public expectations. Renée thinks anything we propose should be in line with the Comprehensive Plan. Steve reiterated his concern that we might struggle to cover basic services.

Steve motioned to adjourn, Bob seconded.

4 in favor, 0 opposed.

Meeting adjourned at 8:07 p.m.

APPENDIX B
ENVIRONMENTAL/PARKS COMMITTEE
Tuesday, May 14, 2019
7:00 PM
Council Chambers- The Hurley Building

Committee: Karen White- Chair, Bob Palumbo (Absent), Renée Sutton (Absent), Dave Whitcomb

Other Councilmembers: Mayor Polimeni, Nick Cutri, Robert O'Brien, Jim Terwilliger, Steve Uebbing

Staff: John D. Goodwin, Rob Richardson

***** Due to Unforeseen Circumstances, We Did Not Have a Quorum *****

1. Carbon Pricing Legislation

According to the Citizen Climate Lobby (CCL), the environmental, health, and social costs of carbon emissions are not included in prices paid for fossil fuels. To address external costs generated through burning fossil fuels, Congress is considering CCL supported legislation that would charge fossil fuel companies a tax for their carbon dioxide emissions. The Energy Innovation and Carbon Dividend Act, announced in November 2018, would charge \$15 for each ton of carbon emitted into the air and would increase that fee by \$10 every year afterward, in an effort to fight climate change while all of the money generated (minus administrative costs) would go back to taxpayers. The Canandaigua chapter of the CCL is asking City Council to support this legislation via a resolution (see attached draft), and members of the CCL will be at the meeting to discuss their request and answer questions for Councilmembers.

Several members from the CCL were at the meeting to present and discuss their request, including Danielle Lyon, Chris Glattley, and Ali Syverud. CCL was started 12 years ago over concern about the global climate crisis. They felt legislators needed to hear from the people what they want, and elected officials should reflect the will of the people. Their sole focus is to get legislation passed at the federal level to address climate change concerns. The legislation before Congress has 36 co-sponsors, including Yvette Clark from New York. Climate change impacts everyone, and this legislation reflects both a bi-partisan and non-partisan commitment to address carbon emissions. By putting a price on these emissions, the hope is that greener alternatives will be explored as carbon emissions become cost prohibitive. That fee will be distributed to assist people who may need help making adjustments, as well as to those who need to make adjustments. What this legislation says is we agree that cutting down on CO2 emissions is critical to addressing climate change. It also has included for US trade with countries with higher carbon footprints and includes a sunset clause. The fee will be assessed in a variety of ways, and the fee is anticipated to be hundreds a year. The more they charge carbon emitters, the more citizens will get back.

The Mayor asked what our representatives think, and while they don't have an official endorsement, they will be going to D.C. in a month to go lobby for this to get support. The Mayor added we are a member of the National League of Cities, and offered to give them contact info for people they should speak to. Several municipalities have done this endorsement, including Rochester, Henrietta, Brighton, Pittsford, ER, Irondequoit and Penfield. Ali added there are more pending. Steve asked if these fees are a tax deduction, and Chris said he is assuming so- Steve added he thinks this is a really smart approach. Karen has an e-mail with other options to support this legislation. Jim said he does not vote on resolutions that deal with national issues, and he considers this to be a national political issue. He doesn't think its City Council's job to opine on national issues. Karen would like to bring back next month with the full

committee and additional information to see if we can move this forward.

People from Buffalo St. is were at the meeting to ensure the water issues remained at the forefront, and John provided them a brief update. Because the majority of the issue is private drainage, there is little that the City can do. We are trying to work with them, but both Steve and Dave suggested hiring legal representation.

Meeting adjourned at 7:53 p.m.

**APPENDIX C
ORDINANCE COMMITTEE**

Tuesday, May 21, 2019

7:00 PM

Council Chambers- The Hurley Building

Committee: David Whitcomb, Chair, Nick Cutri, Jim Terwilliger, Karen White

Other Councilmembers: Mayor Polimeni, Bob Palumbo, Renée Sutton (7:32 p.m.), Robert O'Brien
Steve Uebbing

Staff: John D. Goodwin, Rob Richardson, Terence Robinson

1. Ordinance Reducing Single-Use Plastics

Last year, upon the request of Councilmember David Whitcomb, the Ordinance Committee began a discussion of an ordinance banning the use of plastic straws in the City. After much discussion the Committee decided to explore a more comprehensive approach and potentially adding other items such as plastic bags and polystyrene foam items in an effort to reduce waste and prevent pollution. At the February 19th Ordinance Committee meeting, Council decided more information was needed before taking any legislative action and directed Staff to invite community stakeholders who would be impacted by such a ban. At its March 19th meeting, representatives from Wegmans and Pactiv addressed Council and discussed how the proposed ordinance would impact their business operationally and economically. At its April 16th meeting, representatives from the Canandaigua City School District, Ontario County, and the Town of Canandaigua shared how the proposed ordinance could impact them. Members of the Merchants Association and local restaurant owners have been invited to this meeting to discuss how the proposed ordinance would impact them.

Denise Chaapel from the BID was at the meeting, however no restaurant owners or food establishment owners showed up. They said this day/time of evening is difficult for them to leave their restaurants. She has heard that the business owners are that they are willing to participate as long as they are educated. She thinks the more we reach out the more successful we can be. We are going to go a little farther to add an educational component to help with recycling initiatives. Dave said the doors are always open to business owners to voice their complaints.

2. Violations Notices Via Registered Mail

Several sections of City Code require that violation orders be served personally or sent by registered mail, return receipt requested. This process not only adds costs to the code enforcement process, but also adds time to the process to obtain compliance. City Staff would like to change the this to personal service or regular mail.

John explained this is expensive, and by this point we've reached out and made contact with the property in question. Code Enforcement is requesting we use regular mail. Robert asked how these are sent out, and John explained the process. John reexplained using registered mail is expensive and cumbersome. Dave asked if having a system where some mail is sent registered could be created, and John explained this is via the charter. He referenced the tax liens as registered mail, but water bills are regular mail. Bob asked about serving these with police, and John said we typically don't do that. Bob asked if this will be like the snow removal, and John said we would have to sign an affidavit saying we put them in the mail. Dave added that legally if mail is not returned it is expected to be read. Jim asked to see the number of violations

and John said he could get that information. Jim added it's worth trying to see if it improves efficiencies- we can always change it back.

Jim moved to make the change; Karen seconded.

Dave added his preference would be to vote once he saw the roster of sections to be impacted.

4 in favor, 0 opposed. Motion carries to Full City Council.

3. Parking Restrictions on Gibson Street

The City has received complaints regarding the parking restrictions and enforcement in and around the several churches on North Main Street, particularly near Gibson Street. Council will discuss the restrictions in place and consider whether there are any changes or modifications that should be made.

John provided a brief history of this issue. Corporation Counsel is concerned this might not be a good exemption to have. John stated there is a space where the exemption is maintained, but parking there isn't necessarily safe. Dave asked how many spots would be impacted, and John said he could find out. Jim would like to see a map. Steve said he wished Terence was here to weigh in on this because he is concerned about the City's exposure to liability. He's seen how bad the parking is, and if people are willing to walk you can always find parking. This is about keeping people safe. John reminded the room of the 2002 lawsuit. Karen agrees with Steve regarding the safety aspect, as well as the bad weather. Getting emergency vehicles through there is always a challenge. Churches could make adjustments, like remote parking and shuttling. Nick agreed. The Mayor pointed out the changes in place were made after the accident, and out prior attorney thought we were well within our rights. This only became an issue because people got tickets on Easter and complained. She is also interested to hear what Terence had to say. Dave suggested we get feed back from the churches, and the Mayor said he thinks they will be fine. Robert suggested putting cones out to differentiate parking. Karen raised a separate parking issue on Bristol St. John said he would provide a map of both areas at the next meeting. Steve wants to get out ahead of this next time.

The Mayor is going to have someone represent someone from Council on the LDC, and she would like us to make that appointment on June 2nd. She spoke with Jim, but she wants to see if others are interested. She thinks Jim will be appropriate due to his years of service as our finance chair and because he knows the community. She added there will also be someone from the community, and we need to spread the word to have people submit their names for consideration. Karen asked if Jim can participate because he recuses himself with CNB, and he says yes. Renée said she would be interested. Robert would support choosing Renée because of her commitment to accountability and transparency. Bob would be concerned about the CNB thing and if Jim would need to recuse himself more often than he thinks. Jim stated it wouldn't be an issue, and he wouldn't let his connection with CNB impact his decisions. Karen supports Renée as our representative. Bob doesn't know how Jim would avoid conflict of interest, and he supports Renée. The Mayor will check with Terence on how the appointment process.

Nick motioned to move to Executive Session, Karen seconded.

Meeting adjourned to Executive Session at 7:40 p.m.

Motioned to adjourn, seconded.

Meeting adjourned at p.m.

APPENDIX D
FINANCE/BUDGET COMMITTEE
Thursday, May 30, 2019
7:00 p.m.
Council Chambers- The Hurley Building

Committee: James Terwilliger, Chairman, Robert O'Brien, Steve Uebbing, Nick Cutri

Other Councilmembers: Mayor Polimeni, Karen White, Renée Sutton, David Whitcomb

Staff: John D. Goodwin, Rob Richardson, Terence Robinson, Jim Sprague

1. Hurley Building Roof Phase 1

During the renovation project, the need to replace the roofing systems of the building was identified. The Capital Plan includes a four phased roof replacement project with Phase 1 (\$150,000 budgeted) for 2019. A bid was opened on May 24th, with three vendors responded to the request. Two of those, however, chose not to submit bids due to the asbestos abatement component. The vendor responding with a bid, Elmer W. Davis, Inc. Roofing located at 1217 Clifford Ave. in Rochester, NY, came in with a bid of \$154,456. This is the same vendor who did the roof replacement when the Central Shop was renovated last year, and Staff recommend awarding the contract to Elmer W. Davis, Inc. Roofing as they are confident in their ability to complete the work. The bid, however, is slightly higher than what was budgeted and will require a Capital Budget amendment in the amount \$4,456. The City Manager recommends forgoing the new public entrance to City Hall (\$100,000) which will more than cover the Capital Budget amendments (fire truck repair, fingerprint scanner for PD) requested thus far in 2019.

John provided a brief synopsis of the issues with the roof, and explained his decision to postpone the City Hall restoration. John clarified it might be unlikely that the project would pass SHPO standards. The asked if we are still going to be painting City Hall this summer, and John said yes. We've also struggled to find masons. Jim said someone was down there to look at those issues today, and Nick said he knows them and they do good work.

Nick motioned to approve the contract, Robert seconded.

3 in favor, 0 opposed. Motion carries to full City Council.

2. Budget Amendment and Bonding Authorization for Road Construction

As part of the City's Road Reconstruction Program which completely rebuilds streets every four years, the budget includes bonding in the General (\$2,773,000), Water (\$650,000), and Sewer (\$650,00) Funds. Based on the design the distribution between the funds needs to be adjusted to \$1,430,000 for General and \$715,000 for both Water and Sewer. This year, we plan to rebuild Bristol Street from Sucker Brook to South Pearl Street, Bristol Court and Sand Street. City Council must officially authorize the bond in order to move the project forward.

John asked if he could combine the next 3 items as they are all interwoven and Jim agreed. He provided a brief synopsis of the request. In total, this will be about a \$2.8 million-dollar project, which is going to be less than what was anticipated.

Nick motioned to approve the contract, Robert seconded.

3 in favor, 0 opposed. Motion carries to full City Council.

3. Road Reconstruction Contract

A bid for the Road Reconstruction Project was opened on Monday, May 13th with 3 bids being submitted. The lowest responsible bid was submitted by Ramsey Constructors, located at 5711 Gateway Park in Lakeville, NY for a total amount of \$2,417,175. The design engineer for this project, Hunt Engineers, as well as DPW has worked with Ramsey Constructors in the past and are confident in their ability to complete the project. Staff recommend awarding the contract to Ramsey Constructors. The above bond authorization includes a 10% construction contingency, and Staff requests authorization through the City Manager to approve change orders, if necessary, within the construction contingency.

See item #3

Nick motioned to approve the contract, Robert seconded.

3 in favor, 0 opposed. Motion carries to full City Council.

4. Hunt Engineers Change Order

Via Resolution #2018-069, Council authorized a contract with Hunt Engineers to design the Road Reconstruction Project. The RFP also included construction administration costs totaling \$163,650 which need to be awarded. In addition, the original thought process for the design of Bristol St. was that the water main would stay on the southside of Bristol St. However, due to conflicts with existing water, storm, sanitary, gas and proposed storm water management facility, the water main could not be located on the south side of Bristol St. The design calls for the water main to be placed east of Sucker Brook- further than originally thought and across the north side of Bristol St. to get under Sucker Brook. As a result, Hunt Engineers will need to survey 80, 81 & 90 Bristol St. and prepare Temporary Easements for these properties. The total amount of this unplanned work is \$ 2,700. Staff recommend authorizing this change order as well as authorizing the City Manager to authorize throughout the project if necessary.

See item #3

Nick motioned to approve the contract, Robert seconded.

3 in favor, 0 opposed. Motion carries to full City Council.

5. MS4 Report

The City is required to submit an annual report to the New York State Department of Environmental Conservation (NYSDEC) as part of being covered under the State Pollutant Discharge and Elimination System (SPDES) General Permit for Storm Water Discharges from MS4s. There are six minimum stormwater management control measures involved in the report (1) Public education and outreach; (2) Public participation and involvement; (3) Illicit discharge detection and elimination; (4) Construction site stormwater runoff control; (5) Post-construction stormwater management and (6) Pollution prevention & good housekeeping practices for municipal operations. The report is required to be delivered at a public meeting and will be presented tonight.

Jim was at the meeting to briefly present on the report. Jim explained this report has not changed in either requirements or content. Jim said that, at this point, we've plateaued in terms of the progress we can make.

Nick motioned to adjourn to Executive Session, Robert seconded.

3 in favor, 0 opposed.

Meeting adjourned to Executive Session at 7:33 p.m.

6. Executive Session

Motioned to adjourn Executive Session, seconded.

Executive Session adjourned at 7 p.m.

Nick motioned to adjourn, Robert seconded.

Meeting adjourned at 7 p.m.